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06-318

**WASHINGTON STATE PUBLIC DISCLOSURE COMMISSION**

Public Disclosure Commission

**Complaints Relating to An Elected Official or Candidate for Public Office Must be in Writing and Signed by the Complainant Under Oath**

Revised Code of Washington 42.17.310 and Washington Administrative Code 390-37-040 require that a complaint filed with the Public Disclosure Commission, relating to an elected official or candidate for public office, be in writing and signed by the complainant under oath.

RCW 9A.72.085 states that when, under a law or rule of the State of Washington, a statement is required to be supported by an oath, the statement may be supported by an unsworn written statement, declaration, verification, or certificate which:

- 1 Recites that it is certified or declared by the person to be true under penalty of perjury;
- 2 Is subscribed by the person;
- 3 States the date and place of its execution; and
- 4 States that it is so certified or declared under the laws of the State of Washington.

Complaints relating to an elected official or candidate for public office will not be processed without a properly executed oath (or affirmation) or an acceptable unsworn written statement, declaration, verification, or certificate.

Following is an acceptable format for a certification in support of a written complaint relating to an elected official or candidate for public office. If the certification is used, it must be attached to your complaint and does not require the services of a notary public.

**Certification for a Complaint to the Washington State Public Disclosure Commission  
Relating to an Elected Official or Candidate for Public Office (Notary Not Required)**

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the facts set forth in this attached complaint are true and correct.

Your signature: \_\_\_\_\_

Your printed name: \_\_\_\_\_ Dan Swatman \_\_\_\_\_

Street address: \_\_\_\_\_ 6027 195<sup>th</sup> ave e \_\_\_\_\_

City, state and zip code: \_ Bonney Lake wa 98391 \_\_\_\_\_

Telephone number: \_\_\_\_\_ 425-235-7714 \_\_\_\_\_

E-Mail Address: Optional) \_\_\_\_\_ danswatman@gmail.com \_\_\_\_\_

Date Signed: \_\_\_\_\_ 2/1/2006 \_\_\_\_\_

Place Signed (City and County): \_\_\_\_\_ Renton WA \_\_\_\_\_ KING COUNTY \_\_\_\_\_

City County \*RCW 9A.72.040 provides that: "(1) A person is guilty of false swearing if he makes a false statement, which he knows to be false, under an oath required or authorized by law. (2) False

swearing is a misdemeanor."

## COMPLAINT ATTACHED

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### Formal Complaint to the Washington State Public Disclosure Commission Relating to an Elected Official or Candidate for Public Office

Name of Official or Candidate: \_\_\_Mayor Bob Young\_\_\_

Address of Official or Candidate: \_\_\_City Bonney Lake\_\_\_

Official's or Candidate's \_\_\_City Bonney Lake\_\_\_

City State Zip Code Official's or

Candidate's Telephone:

\_\_\_\_\_(Include Area

Code) Official's or Candidate's E-Mail Address:

\_\_\_\_\_(If known)

Your signature: \_\_\_\_\_

Your printed name: \_\_\_Dan Swatman\_\_\_

Street address: \_\_\_6027 195<sup>th</sup> ave east\_\_\_

City, state and zip code: \_\_\_Bonney Lake wa 98319\_\_\_

Telephone number: \_\_\_435-235-7714\_\_\_

E-Mail Address: (Optional) \_\_\_danswatman@gmail.com\_\_\_

Date Signed: \_\_\_2/1/2006\_\_\_

Place Signed (City and County): \_\_\_Renton, King county\_\_\_

City County

**Complaint: (Attach Complaint and Certification)**

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## Complaint Against Robert Young Mayor Bonney Lake.

Robert Young violated campaign finance law during his failed run for a third term as Mayor of Bonney Lake. Mayor Young at the time used public resources during his campaign. He used city equipment and city personnel in his campaign.

During the campaign I was informed by several top level staff members that the Mayor was using Cathy Harstad-Everett (his personal assistant/ Deputy City Clerk) to gather voting information on both Council members Dan Swatman and Neil Johnson. Neil Johnson was directly running in opposition to the Mayor for his office, Dan Swatman has opposed many of Mayor Robert Young's initiatives. I issued a public records request to the city for "a copy of all data gathered by staff on council members voting records in the past three years." {exhibit one} It was returned stating there was no such record, I presented that letter to Cathy Harstead Everett, she smiled and said that "Yes she had gathered such data for the Mayor, she said she did it on her own time". Cathy is a full time exempt employee that works directly for the Mayor. How could she do this work on her "own time?" None of Robert Young's PDC fillings show compensation given for work done by Cathy.

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2 During the citizen comment period of the August 9<sup>th</sup> my opponent Melvain Public Disclosure Commission  
3 Donyes (sponsored and recruited by Mayor Young) read a statement that in part read  
4 "council member Swatman said on August 2002 I think this would be great" Those words  
5 were used in statements and campaign materials of the Mayors repeatedly. {exhibit two}  
6 his web site, his 6 million dollar question flyer that he mailed out. Those words, slightly  
7 out of context were indeed spoken by me. Those words are not in the written minutes of  
8 August 6 2002 {exhibit three} the record of those words is only found on the tape of that  
9 council meeting. That tape is a multi-track tape that will not play on a basic tape player.  
10 That council meeting audio was made before the city converted to a digital format  
11 {exhibit five}. I asked the City Clerk Woody Edvalson if anyone had listened to the tape  
12 he said no. I asked him where the tape is kept, he said it was kept in the vault and someone  
13 would have to know a lot to be able to get a hold of the tape without his help. Since  
14 Cathy Harstead-Everett is the Deputy city Clerk/ Mayor's Assistant, I suspect she would  
15 have that knowledge. I don't see how she could do that work on her "own time." In a  
16 Courier-Herald Newspaper article {exhibit four} the Mayor stated "there was no staff  
17 time or city time used" Young said "I did have information gathered by a campaign  
18 volunteer at home on her own time, using public information on the city's web site. I  
19 think I have the right to do that."

20 Again the information Mayor Young was clearly using in his campaign could not  
21 have come from the city's web site. Also what would be "her own time" while she is an  
22 exempt employee working directly for the Mayor.

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1 The Mayor's web site {exhibit six and seven} contains a picture (center ribbon  
2 cutting, sorry the web site would not print the pictures correctly) the center picture was  
3 taken at the ribbon cutting for the new high school by John Weidenfeller (city finance  
4 officer) with a city camera.

5 At the opening of the Cascadia project {exhibit seven} a picture was again taken  
6 by John Weidenfeller (city finance officer) with a city camera, that picture of Robert  
7 Young shaking hands with County Council Member Shawn Bunney was used as  
8 campaign material.

9 Council member Bunney objected to the unauthorized use of his photo, he  
10 contacted the Mayor. The exhibits {8,9,10 and 11} clearly show Cathy Harstead-Everett  
11 participating in efforts to respond to Council Member Bunney. The exhibits show Cathy  
12 using both City e-mail, city phones and city time to Robert Young's campaign issues.

13 On or about June of 2005 Mayor Young directed his finance director John  
14 Weidenfeller to develop and mail a community attitude survey to all households in  
15 Bonney Lake. After the surveys were returned to the city the mayor then hired a  
16 temporary city employee from Action Employment to compile the results of this survey.  
17 Those results were never made available to anyone other than the internal staff until way  
18 after the election.

19 As you may know Ex-Mayor Young lost his bid for re-election. I waited until  
20 after the election season as I did not want the facts of the issue to become clouded by  
21 campaign rhetoric. I only want all public officials to respect the law and use of public  
22 resources in campaigns is clearly prohibited.